

Message Text

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INFO AMEMBASSY MOSCOW

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TAGS: UNGA, UR
SUBJECT: GENERAL DEBATE ON NON-USE OF FORCE:
STATEMENTS BY U.S., SENEGAL, TOGO, SPAIN, MOROCCO, AND
ROMANIA

1. SUMMARY. GENERAL DEBATE CONTINUED IN THE SSECCAL
COMMITTEE ON THE NON-USE OF FORCE ON THE MORNING OF
SEPTEMBER 5 WITH STATEMENTS BY THE U.S., SENEGAL, TOGO,
SPAIN, MOROCCO, AND ROMANIA. THE U.S. REITERATED
WESTERN LEGAL OBJECTIONS TO A WORLD TREATY ON THE NON-USE
OF FORCE AS A COUNTER-PRODUCTIVE APPROACH, DEPLORED
NOTIONS OF "LIMITED SOVEREIGNTY" AND THE REFUSAL OF SOME
STATES TO PARTICIPATE IN OR FINANCE U.N. -EACEKEEEEING
OPERATIONS, AND STRESSED THE IMPORTANCE OF IMMROVING
PROCEDURES FOR THE PEACEFUL RESOLUTION OF DISPUTES.
SENEGAL, TOGO, SPAIN, AND MOROCCO WELCOMED THE SOVIET
INITIATIVE WITH RELATIVE RESTRAINT AND WITH NUMEROUS
QUALIFICATIONS AND RESERVATIONS. ROMANIA FELL IN LINE
SOMEWHAT OUT OF STEP BY SUPPORTING THE SOVIET INITIATIVE
WHILE MANAGING TO VOICE ITS HABITUAL OPPOSITION TO THE
"POLICY OF SPHERES OF INFLUENCE." THE MEETING ENDED
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WITH UNRESOLVED DISPUTES OVER WHAT TO DO AFTER THE
GENERAL DEBATE AND OVER WHETHER OR NOT THE SECRETARIAT
SHOULD PREPARE AN ANNOTATED COMPILATION OF PROPOSED
CHANGES IN THE SOVIET DRAFT TREATY TEXT. END SUMMARY.

2. U.S. REP ROSENSTOCK REITERATED WESTERN LEGAL
OBJECTIONS TO THE SOVIET-SPONSORED DRAFT TREATY ON THE

NON-USE OF FORCE. HE ARGUED THAT SUCH A TREATY WOULD ADD NOTHING TO EXISTING LAW AND COULD EVEN CONFUSE MEMBER STATES' OBLIGATIONS UNDER ARTICLE 2, PARAGRAPH 4 OF THE U.N. CHARTER. HE NOTED THAT "PROCLAMATIONS OR TREATIES ABOUT THE USE OF FORCE AND THE OUTLAWING OF WAR ARE NOT IN THEMSELVES EFFECTIVE," AND HE STRESSED THE IMPORTANCE OF A "COMPREHENSIVE, COLLECTIVE SECURITY SYSTEM." THE U.S. REP ASSERTED THAT "WE MUST MAKE THE EXISTING LANGUAGE OF THE CHARTER AN INTEGRAL PART OF NATIONAL POLICIES OF EVERY STATE." HE STRESSED THE IMPORTANCE OF THE PEACEFUL SETTLEMENT OF DISPUTES THROUGH THIRD PARTY SETTLEMENT. HE UNDERLINED THE SUCCESSES OF THE U.N. IN "PEACEKEEPING BY INTERPOSITION," AND HE NOTED THAT II WE ARE SERIOUS ABOUT THE NON-USE OF FORCE WE MUST SUPPORT THESE OPERATIONS FINANCIALLY, POLITICALLY, AND MORALLY. HE POINTED TO ARTICLE III OF THE SOVIET DRAFT TREATY (EXEMPTING FROM THE TREATY OTHER TREATIES AND AGREEMENTS CONCLUDED EARLIER), DEPLORED "TARNISHED DOCTRINES OF LIMITED SOVEREIGNTY" AND EXPRESSED THE HOPE THAT IMPOSED TREATIES WOULD NOT BE CITED IN SUPPORT OF THE CONCEPT. THE U.S. REP NOTED THE DUPLICATION OF EFFORT ON THIS ITEM IN THE SPECIAL COMMITTEE AND IN THE CHARTER REVIEW EXERCISE, AND HE SUGGESTED A RATIONALIZATION OF WORK SUCH AS ALLOCATING THE ITEM EXCLUSIVELY TO THE SIXTH COMMITTEE OR FOLDING THE MANDATE OF THE SPECIAL COMMITTEE INTO THE MANDATE OF THE COMMITTEE ON THE CHARTER. LIMITED OFFICIAL USE

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3. SENEGALESE REP SY NOTED "AN IMPORTANT TREND" IN FAVOR OF DRAWING UP A TREATY ON THE NON-USE OF FORCE, BUT HE EXPRESSED SEVERAL QUALIFICATIONS AND RESERVATIONS REGARDING THE SOVIET DRAFT TREATY. HE ASSERTED THAT A WORLD TREATY SHOULD PROHIBIT NOT ONLY THE USE OF OVERT MILITARY FORCE BUT ALSO SUBVERSION AND ECONOMIC COERCION. HE MAINTAINED THAT A TREATY MUST EXCLUDE JUST STRUGGLES AGAINST COLONIALISM, IMPERIALISM, RACISM, AND EXPANSIONISM. SY ARGUED THAT A WORLD TREATY MUST HAVE PROVISIONS TO ENSURE ITS APPLICATION AND THAT TO BE EFFECTIVE IT MUST HAVE THE SUPPORT OF THE PERMANENT MEMBERS OF THE SECURITY COUNCIL. HE PLACED EQUAL STRESS ON THE PRINCIPLE OF THE NON-USE OF FORCE AND ON THE PRINCIPLE OF PEACEFUL SETTLEMENT OF DISPUTES, AND HE NOTED THAT MECHANISMS FOR THE PEACEFUL SETTLEMENT OF DISPUTES MUST REST ON A STRICT CONSTRUCTION OF THE U.N. CHARTER.

4. AMBASSADOR KODJOVI OF TOGO PAID TRIBUTE TO THE SOVIET UNION FOR TAKING THE INITIATIVE ON THE NON-USE OF FORCE, BUT HE POINTEDLY MAINTAINED THAT THE ROLE OF THE SPECIAL COMMITTEE IS NOT CONFINED TO CONSIDERATION OF THE SOVIET

DRAFT AND THAT THE COMMITTEE MUST HAVE FOR ITS WORK A BROAD RANGE OF PROPOSALS AND SUGGESTIONS. HE NOTED THE USUAL LITANY OF U.N. RESOLUTIONS AND DECLARATIONS ON SIMILAR THEMES (SUCH AS FRIENDLY RELATIONS AND THE DEFINITION OF AGGRESSION) AND HOPED THESE TEXTS WOULD MAKE POSSIBLE PROGRESS ON THIS ITEM, BUT HE NOTED THAT TO PREVENT WAR IT IS NOT SUFFICIENT TO DECLARE IT ILLEGAL.

5. AMBASSADOR PINIES OF SPAIN SOMEWHAT SURPRISINGLY WELCOMED THE IDEA OF A TREATY ON THE NON-USE OF FORCE (SPAIN HAD ABSTAINED ON THE GENERAL ASSEMBLY RESOLUTION CREATING THIS SPECIAL COMMITTEE) AND PROCEEDED TO SUGGEST SEVERAL SPECIFIC CHANGES IN THE SOVIET DRAFT TREATY. HE

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NOTED, HOWEVER, THAT MEMBER STATES SHOULD NOT LOSE SIGHT OF BOTH COLLECTIVE AND REGIONAL SECURITY, AND HE NOTED THAT THE FINAL RESULTS OF THE SPECIAL COMMITTEE'S DELIBERATIONS MUST HAVE THE APPROVAL OF THE VARIOUS GROUPS REPRESENTED ON THE COMMITTEE.

6. MOROCCAN REP BENNOUNA EXPRESSED SUPPORT FOR THE SOVIET

INITIATIVE, BUT HE ALSO OUTLINED SEVERAL QUALIFICATIONS. HE MAINTAINED THAT THE U.N. CHARTER'S PROHIBITION OF THE USE OF FORCE COULD NOT BE WEAKENED BY ANY REITERATION OF EXISTING OBLIGATIONS OR BY ANY AGREEMENT. HE SUGGESTED THAT IT WOULD BE DIFFICULT TO CONCLUDE A TREATY OR ADOPT A DECLARATION ON THE NON-USE OF FORCE WITHOUT TAKING INTO ACCOUNT THE GENERAL ASSEMBLY'S DEFINITION OF AGGRESSION. HE INSISTED THAT ANY AGREEMENT MUST CONTAIN A CLEAR PROHIBITION OF OUTSIDE INTERFERENCE OR SUBVERSION, AND HE MAINTAINED THAT WHEN SUBVERSION ATTAINS CERTAIN PROPORTIONS WITH THE COMPLICITY OF AN OUTSIDE STATE, THEN THE SUBVERTED STATE HAS THE LEGITIMATE RIGHT TO SELF-DEFENSE. BENNOUNA ALSO ASSERTED THAT ANY INTERNATIONAL INSTRUMENT ON THE NON-USE OF FORCE MUST DEAL WITH MEASURES FOR THE PEACEFUL SETTLEMENT OF DISPUTES.

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7. ROMANIAN REP MIRCEA FELL IN LINE SOMEWHAT OUT OF STEP WITH THIS SOVIET INITIATIVE. HE EXPRESSED SUPPORT FOR THE INITIATIVE, BUT HE USED THE WORDS "INSTRUMENT" AND "COMMITMENT" MORE OFTEN THAN "TREATY" IN REFERRING TO THE ULTIMATE RESULT OF THE COMMITTEE'S DELIBERATIONS. HE PLACED MORE EMPHASIS THAN HAD OTHER MEMBERS OF THE EAST EUROPEAN GROUP ON THE IMPORTANCE OF THE PEACEFUL SETTLEMENT OF DISPUTES, AND HE PROPOSED AN INTERNATIONAL COMMITMENT THAT ALL STATES COMMIT THEMSELVES TO THE PEACEFUL RESOLUTION OF DISPUTES. HE EVEN SUGGESTED THAT THE COMMITTEE SHOULD CONSIDER STRENGTHENING THE ROLE OF THE U.N. IN SETTLING DISPUTES, AND HE PROPOSED THE CREATION OF "CONCILIATORY ORGANS." MIRCEA SUCCEEDED IN WORKING INTO HIS STATEMENT ROMANIA'S HABITUAL OPPOSITION TO THE "POLICY OF SPHERES OF INFLUENCE" AS WELL AS TO "DOMINATION AND DIKTAT."

8. CHAIRMAN CUEVAS CANCINO ASKED THE COMMITTEE TO BE PREPARED TO DISCUSS ON SEPTEMBER 6 HOW THE COMMITTEE SHOULD ORGANIZE ITS WORK UPON COMPLETION OF THE GENERAL DEBATE. HE ALSO ASKED THAT COMMITTEE MEMBERS CONSIDER THE UTILITY OF HAVING THE SECRETARIAT COLLATE AND ISSUE AS A DOCUMENT ALL THE AMENDMENTS THUS FAR PROPOSED TO THE SOVIET DRAFT TREATY. (COMMENT: SUCH AN ANNOTATION OF THE SOVIET DRAFT WOULD LEND LEGITIMACY TO THE SOVIETS' CONTENTION THAT THEIR DRAFT TREATY IS THE RIGHTFUL BASIS OF THE COMMITTEE'S DELIBERATIONS AND THAT A WORLD TREATY IS THE ONLY APPROPRIATE GOAL OF THE SPECIAL COMMITTEE.) THE U.S. REP ARGUED THAT ANY DISCUSSION OF THE FURTHER ORGANIZATION OF THE COMMITTEE'S WORK COULD ONLY TAKE PLACE ON A PRELIMINARY AND TENTATIVE BASIS, FOR IT WOULD BE PREMATURE TO AGREE ON SUCH A PROGRAM BEFORE ALL MEMBERS HAD PRESENTED THEIR VIEWS

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IN GENERAL DEBATE. (COMMENT: 18 OF THE COMMITTEE'S
35 MEMBERS HAVE SPOKEN THUS FAR; THE COMMITTEE IS
SCHEDULED TO CONTINUE ITS DELIBERATIONS UNTIL SEPTEMBER
15.) MME. D'HAUSSY OF FRANCE SUPPORTED THE U.S. REP'S
VIEW. THE U.S. REP FURTHER ARGUED THAT IT WOULD BE
PREMATURE AND POLITICALLY SENSITIVE FOR THE SECRETARIAT TO
UNDERTAKE ANY COMPILATION MUCH LESS ON ANNOTATION OF THE
SOVIET DRAFT TREATY; HE SUGGESTED THAT THE COMMITTEE
SHOULD FIRST SEE THE REPORT OF THE RAPPOREUR BEFORE
EVEN CONSIDERING SUCH A COMPILATION. SOVIET REP KOLESNIK
ARGUED OPPOSITE AND STRESSED THAT THE COMMITTEE DOES NOT
HAVE MANY WORKING DAYS LEFT. HOUNGAVOU OF BENIN
SUPPORTED THE SOVIET POSITION AND SUGGESTED THAT THE
ISSUE OF A COMPILATION OF AMENDMENTS TO THE SOVIET DRAFT
IS A PROCEDURAL QUESTION WHICH SHOULD BE DECIDED BY A
MAJORITY VOTE OF THE COMMITTEE. GENERAL DEBATE AND
DISCUSSION OF THESE ISSUES WILL CONTINUE ON SEPTEMBER 6.
WE WILL BE CONSULTING WITH UK, FRANCE AND OTHER ALLIES
ON HOW BEST TO BLOCK PRODUCTION OF THE SECRETARIAT PAPER
OR AT LEAST ENSURE IT IS NOT LIKELY TO ESTABLISH THE
SOVIET DRAFT AS THE BASIS FOR THE COMMITTEE'S WORK. THE
LATTER END WILL BE DIFFICULT TO ACHIEVE INTER ALIA
BECAUSE THE KEY SECRETARIAT OFFICIAL INVOLVED IS SOVIET
NATIONAL ROMANOV.
YOUNG

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